

# Memorandum



**Date:** July 8, 2008

**To:** Subrata Basu, AIA, AICP, Interim Director  
Department of Planning and Zoning

**From:** Jose Gonzalez, P.E., Assistant Director  
Environmental Resources Management

A handwritten signature in black ink, appearing to read "Jose Gonzalez", written over the printed name of the Assistant Director.

**Subject:** C-12 #Z2006000323-2<sup>nd</sup> Revision  
B & F Marine, Inc.  
4001 S.W. 72<sup>nd</sup> Avenue  
District Boundary Change from B-U1A & RU-1 to BU-2  
(BU-1A/RU-1) (1.03 Acres)  
23-54-40

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The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

#### Potable Water Service and Wastewater Disposal

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required in accordance with Code requirements.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternate means of sewage disposal. Use of an alternate means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

#### Stormwater Management

All stormwater shall be retained on-site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year/1-day storm event.

Site grading and development shall comply with the requirements of Chapter 11C of the Code.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP, subject to compliance with the conditions required by DERM for this proposed development order.

#### Pollution Remediation

The subject property has no records of current contamination assessment or remediation issues on the site or directly abutting the subject site. The applicant is advised that there are records of contamination assessment or remediation issues within 500 feet southwest of the subject property tracked under Permit UT-2440/F-9647, Tropical Paint & Body Shop (7270 SW 41<sup>st</sup> Street).

#### Air Quality Preservation

In the event of any kind of renovation or demolition activity, an asbestos survey from a Florida-licensed asbestos consultant is required. If said survey shows friable asbestos materials in amounts larger than prescribed by federal law (260 linear feet of pipe insulation/thermal system insulation [TSI] or 160 square feet of surfacing material), then those materials must be removed/abated by a Florida-licensed asbestos abatement contractor. A Notice of Asbestos Renovation or Demolition form must be filed with the Air Quality Management Division of DERM for both the abatement (renovation) work and the demolition activity at least 10 working days prior to starting the field operations.

#### Hazardous Materials Management

Due to the nature of uses allowed in the proposed zoning classification, the applicant may be required to obtain DERM approval for management practices to control the potential discharge and spillage of pollutants associated with some land uses permitted in the requested zoning district. The applicant is advised to contact the Permitting Section of DERM's Pollution Regulation and Enforcement Division, at (305) 372-6600 concerning permitting requirements for fuel storage facilities.

#### Operating Permits

Section 24-18 of the Code authorizes DERM to require operating permits from facilities that could be a source of pollution. The applicant is advised that due to the nature of some land uses permitted under the proposed zoning classification, operating permits from DERM may be required. The Permitting Section of DERM's Pollution Regulation and Enforcement Division may be contacted at (305) 372-6600 for further information concerning operating requirements.

#### Fuel Storage Facilities

Section 24-45 of the Code outlines regulations for any proposed or existing underground storage facilities. The regulations provide design, permitting, installation, modification, repair, replacement and continuing operation requirements and criteria. In addition, monitoring devices, inventory control practices and pressure testing of fuel storage tanks is required. The applicant is advised to contact the Permitting Section of DERM's Pollution Regulation and Enforcement Division, at (305) 372-6600 concerning permitting requirements for fuel storage facilities.

#### Wetlands

The subject property does not contain jurisdictional wetlands as defined in Section 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600), and the South Florida Water Management District (1-800-432-2045), may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

### Tree Preservation

Tree Removal Permit 2008-TREE-PER-00104 was issued to B & F Marine, Inc., on March 11, 2008 and is scheduled to expire on March 11, 2009. All approved tree removal, replanting and final inspection (a two weeks notice is required prior to the final inspection) must be completed prior to the scheduled expiration date of this permit to avoid violation of permit conditions.

The applicant is advised that a new Miami-Dade County Tree Removal Permit or an amendment to Tree Removal Permit 2008-TREE-PER-00104 shall be required prior to the removal or relocation of any other tree on the subject property. The DERM Tree Program may be contacted at (305) 372-6574 for further information.

### Enforcement History

DERM has found the following closed enforcement case for the subject property:

B & F Marina  
4001 SW 72<sup>nd</sup> Avenue

DERM has file number PSO-418. There is record of a closed enforcement case regarding failure to comply with the Sanitary Sewer Evaluation Survey (SSES) on the private pump station. The case was closed on September 9, 2003 with the approval of the SSES.

### Concurrency Review Summary

DERM has conducted a concurrency review for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

This memorandum shall constitute DERM's written approval, as required by the Code.

If you have any questions concerning the comments, or wish to discuss this matter further, please contact Enrique A. Cuellar at (305) 372-6764.